

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLINTON CROSS)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 91-350
)	
GARRARD COUNTY WATER ASSOCIATION)	
)	
DEFENDANT)	

O R D E R

This case involves a complaint filed with the Commission by Clinton Cross ("Cross") against the Garrard County Water Association, Inc. ("Garrard") concerning \$8.61 in penalties assessed to Cross's account.

On December 6, 1991, the Commission ordered both parties to file a written request for an informal conference or hearing; and that if no request was made this case shall stand submitted to the Commission for its decision. The Commission additionally provided that all parties had 14 days to file any additional information which may be helpful in deciding the issues in this case.

On December 19, 1991, the Commission received a response from Garrard in which it stated that it does not desire an informal conference or hearing at this time.

As additional information, Garrard submitted that Cross was sent by check the amount of \$8.61,¹ the total of the penalties assessed to his account. According to Garrard, this money was from a private donation by the directors of Garrard.

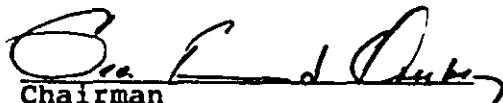
Cross failed to file either a request for an informal conference or hearing or any additional information. Since no request was made by either of the parties, this case stands submitted to the Commission for its decision.

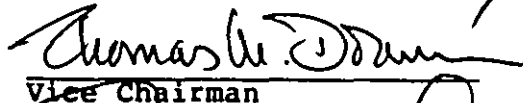
Cross requested in his complaint that he be reimbursed for the \$8.61 in penalties that he has paid. Since Cross has been reimbursed, the Commission finds that there no longer exists any controversy concerning the complaint.

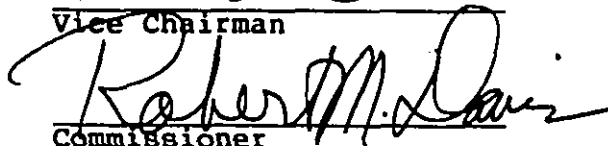
Based on the foregoing, and the Commission being otherwise sufficiently advised, IT IS THEREFORE ORDERED that the complaint is dismissed with prejudice.

Done at Frankfort, Kentucky, this 9th day of January, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

¹ A copy of the letter and check are attached hereto as Exhibit A.

RECEIVED

COMMONWEALTH OF KENTUCKY

DEC 19 1991

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In the Matter of:

CLINTON CROSS

COMPLAINANT

VS.

GARRARD COUNTY WATER ASSOCIATION
INC.

DEFENDANT

CASE NO. 91-350

ANSWER

The above named defendant, for answer to the order of December 6, 1991 in the proceeding, respectfully states:

1. Garrard Water does not request an informal conference or hearing at this time. Garrard Water does reserve its rights to appeal and discovery if necessary after a decision is forthcoming in this case.

2. As additional information Garrard Water submits that Clinton Cross was sent by check the amount of \$8.61, the total of penalties assessed to his account in August and September of 1991. These monies were by private donation from the directors of the Association. (Copy of letter and check attached)

Respectfully submitted,

The Garrard County Water Association, Inc.

Garrard County Water Association, Inc.

P.O. BOX 670

LANCASTER, KENTUCKY 40444

TELEPHONE 792-4501

RECEIVED

DEC 19 1991

POST OFFICE SERVICE
COMMISION

December 13, 1991

Mr. Clinton Cross
946 Cartersville Road
Berea, KY 40403

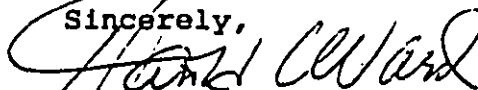
Dear Mr. Cross:

Please find attached my personal check in the amount of \$8.61. This amount was personally donated by the directors of this Association during a recent meeting to be forwarded to you. I believe that you will recognize this sum as the total of penalties assessed to your account earlier this year for late payment charges.

I shall not waste your time or mine in again addressing the events leading to this controversy. Suffice it to say that the directors of the Association are sympathetic to your situation in that everything that could have gone wrong with your attempt to pay your bill did. We hope that a lesson has been learned.

Let me take this opportunity to express to you best wishes for the Holidays.

Sincerely,



Harold C. Ward
President/Executive Director

HAROLD C. WARD 7935 HWY. 52 W. PAINT LICK, KY 40461		6780
PAY TO THE ORDER OF <u>Clinton Cross</u>		12/13 1991 73-575/421
<u>Eight Dollars & 61/100</u>		\$ 8 61
PEOPLES BANK PAINT LICK, KENTUCKY 40461		DOLLARS
MEMO		HAROLD C. WARD
⑆042105756⑆		9403818 6780